

EXHIBIT “A”

THE MYERS FIRM

By: Patrick Finn, Esquire
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**THIS IS NOT AN ARBITRATION CASE
 ASSESSMENT OF DAMAGES IS REQUIRED
 JURY TRIAL IS DEMANDED**

*Filed and Attested by the
 Office of Judicial Records
 01 JUN 2020 02:42 pm
 A. SILIGRINI*

*Attorneys for Plaintiff
 Elena Kolchinsky*

ELENA KOLCHINSKY
 851 Kent Lane
 Philadelphia, PA 19115

Plaintiff,

v.

THE CITY OF PHILADELPHIA
 1515 Arch Street
 17th Floor
 Philadelphia, PA 19102

Defendant.

COURT OF COMMON PLEAS
 PHILADELPHIA COUNTY

TERM, 2020

NO.

**CIVIL ACTION COMPLAINT
 Personal Injury**

“NOTICE”

You have been sued in Court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this Complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the Court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the Court without further notice for any money claimed in the Complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER. IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

LAWYER REFERENCE SERVICE
 One Reading Center
 1101 Market Street
 Philadelphia, Pennsylvania 19107
 (215) 238-6333

“AVISO”

Le han demandado en corte. Si usted desea defender contra las demandas dispuestas en las páginas siguientes, usted debe tomar la acción en el plazo de veinte (20) días después de esta queja y se sirve el aviso, incorporando un aspect escrito personalmente o y archivando en escribir con la corte sus defensas u objeciones a las demandas dispuestas contra usted el abogado le advierte que que si usted no puede hacer así que el caso puede proceder sin usted y un juicio se puede incorporar contra usted compra la corte sin aviso adicional para cualquier dinero demandado en la queja o para cualquier otra demanda o relevación pedida por el demandante. Usted puede perder el dinero o la característica de otra endereza importante a usted.

USTED DEBE LLEVAR ESTE PAPEL SU ABOGADO INMEDIATAMENTE. SI USTED NO HACE QUE UN ABOGADO VAYA A O LLAME POR TELÉFONO La OFICINA DISPUESTA ABAJO. ESTA OFICINA PUEDE PROVEER DE USTED LA INFORMACIÓN SOBRE EMPLEAR A UN ABOGADO. SI USTED NO PUEDE PERMITIRSE AL HIRE A UN ABOGADO, ESTA OFICINA PUEDE PODER PROVEER DE LA INFORMACIÓN SOBRE LAS AGENCIAS QUE LOS SERVICIOS JURIDICOS DE LA OFERTA DE MAYO A LAS PERSONAS ELEGIBLES EN UN HONORARIO REDUCIDO O NINGÚN HONORARIO.

SERVICIO DE REFERENCIA LEGAL
 One Reading Center, 1101 Market Street
 Filadelfia, Pennsylvania 19107
 Teléfono (215) 238-6333

Jurisdiction and Venue

3. The Court has original jurisdiction over the causes of action asserted herein pursuant to 42 Pa. C.S.A. § 931.

4. Venue is properly laid in this Court pursuant to Pennsylvania Rules of Civil Procedure 1006, 2130 and 2179. The cause of action against the defendant arose in Philadelphia County, and all transactions and occurrences out of which all causes of action arise took place in Philadelphia County.

5. On or about June 7, 2018, Ms. Kolchinsky was walking southbound on 12th Street between Sansom and Walnut Streets in Philadelphia.

6. Continuing down 12th Street, just after crossing Moravian Street, Ms. Kolchinsky tripped and was caused to fall by a warped and raised metal grate located on 12th Street near the southeast corner of the 12th Street and Moravian Street intersection.

7. The City of Philadelphia was negligent and careless in the following respects:

- (a) Failure to use ordinary care to furnish Ms. Kolchinsky with a reasonably safe place to walk;
- (b) Failure to remove tripping hazards in a foreseeable walking area;
- (c) Failure to inspect the grate and surrounding area to discover tripping hazards;
- (d) Failure to properly maintain the grate and surrounding area;
- (e) Failure to properly repair the grate and surrounding area;
- (f) Failure to warn Ms. Kolchinsky of the tripping hazard.

8. As a direct and proximate result of the negligence set forth above, Ms. Kolchinsky was caused to suffer severe and permanent injuries, severe shock to her nerves and nervous

systems, aggravation, acceleration and/or activation of any and all pre-existing ailments and/or conditions, including a right central sulcus subarachnoid hemorrhage, bilateral nasal bone fractures, nasal septal fracture, left medial wall orbital fracture, deviated nasal septum, intraoral upper lip laceration and fracture and avulsion of porcelain-fused-to-metal crown on her maxillary central incisor. She also sustained injuries to her left knee and lower back.

9. As a direct and proximate result of the negligence set forth above, Ms. Kolchinsky was obliged to receive extensive medical attention and treatment and will continue to receive treatment and be required to expend considerable amounts of money for medical care in order to effect a cure and/or diminution of the aforesaid injuries.

10. As a direct and proximate result of the negligence set forth above, Ms. Kolchinsky has incurred in the past and will continue to incur into the future additional financial expenses or losses which she is entitled to recover.


11. As a direct and proximate result of the negligence set forth above, Ms. Kolchinsky has been, continues to be, and in the future will be, prevented from attending to her usual activities, to her great detriment, damage and loss.

12. As a direct and proximate result of the negligence set forth above, Ms. Kolchinsky has suffered great pain, suffering, inconvenience, mental suffering and loss of ordinary pleasures of life, and may continue to suffer indefinitely into the future.

WHEREFORE, Plaintiff Elena Kolchinsky demands judgment in her favor and against Defendant, The City of Philadelphia, in an amount in excess of Fifty Thousand Dollars (\$50,000.00), together with interest, costs, fees and such other and further relief the Court and jury shall deem appropriate.

THE MYERS FIRM, ATTORNEYS AT LAW

BY:

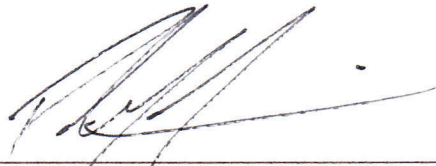


Patrick J. Finn, Esquire
Attorney for Plaintiff
Elena Kolchinsky

Dated: June 1, 2020

VERIFICATION

I, Patrick J. Finn, Esquire, hereby verify that the averments contained in the Complaint are true and correct to the best of my knowledge, information and belief. I understand that this Verification is made subject to the penalties of 18 Pa. C.S.A. §4904, relating to unsworn falsification to the authorities.

A handwritten signature in black ink, appearing to read 'P. J. Finn', is written over a horizontal line.

Patrick J. Finn

Date: June 1, 2020